

AMENDMENT UNDER 37 C.F.R. § 1.111
APPLICATION NO. 09/870,654
ATTORNEY DOCKET NO. Q64277

REMARKS

Applicant thanks the Examiner for acknowledging the claim of priority under 35 U.S.C. § 119 and for acknowledging receipt of the certified copy of the priority document.

The Examiner indicates that the Information Disclosure Statement filed June 1, 2001 (hereinafter "IDS"), fails to comply with 37 C.F.R. § 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. The Examiner further indicates that the IDS has been placed in the application file, but the information referred to therein has not been considered.

Applicant asserts that the Examiner has overlooked another aspect of the requirements of the rules. More specifically, under 37 C.F.R. § 1.98(d), the copies sought by the Examiner were properly provided in the parent application in the present case.

The Office Action Summary sheet (form PTO-326) indicates that IDS Paper No. 3 is attached. Applicant notes that the Examiner did not initial next to the references on the attached IDS form. Therefore, Applicant requests that, with the next Office Action, the Examiner return an initialed copy of the form PTO-1449 filed with the Information Disclosure Statement on June 1, 2001, indicating that the references therein have been considered by the Examiner.

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Claims 27-29 are allowed. Claim 30 is cancelled without prejudice or disclaimer. New claims 31-33 are added. Thus, claims 27-29 and 31-33 are all the claims pending in the application.

The Examiner rejected claim 30 under 35 U.S.C. § 102(e) as being anticipated by Bhatt et al. (US 6,258,505 B1) (hereinafter "Bhatt"). Claim 30 is cancelled without prejudice or disclaimer. Therefore, Applicant respectfully requests that the rejection of claim 30 under 35 U.S.C. § 102(e) as being anticipated by Bhatt be withdrawn.

New claims 31-33 are added. New claim 31, and new claim 32, from which new claim 33 depends, recite "a first fixer lamp" and "a second fixer lamp". In contradistinction, Bhatt does not disclose, teach or suggest a first fixer lamp and a second fixer lamp as claimed. Consequently, the invention disclosed by Bhatt experiences problems not present in the claimed invention. For example, with the invention of Bhatt, if the light for fixing is leaked to the thermal transfer material during the fixing of the yellow layer, then the magenta layer is also fixed at that time. The present invention overcomes this problem with the invention disclosed in Bhatt.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 30 is canceled without prejudice or disclaimer.

Claims 31-33 are added as new claims.